

HOUSE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
SIXTIETH LEGISLATURE

EIGHTY-SEVENTH LEGISLATIVE DAY
WEDNESDAY, APRIL 8, 2009

House of Representatives

The House convened at 9:30 a.m., the Speaker in the Chair.

Roll call showed 68 members present.

Absent and excused – Nonini, Smith(24). Total – 2.
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Brigham Duncan, Page.

Approval of Journal

April 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Eighty-sixth Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

April 7, 2009

Mr. Speaker:

I transmit herewith enrolled [S 1004](#), as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled [S 1004](#), as amended in the House, and, when so signed, ordered it returned to the Senate.

April 7, 2009

Mr. Speaker:

I return herewith enrolled [HJM 6](#), [H 46](#), as amended, [H 250](#), [H 163](#), [H 222](#), [H 43](#), [H 151](#), [HCR 28](#), [HJM 7](#), [H 14](#), as amended, as amended in the Senate, [H 141](#), as amended in the Senate, [H 159](#), as amended in the Senate, and [H 217](#), as amended in the Senate, which have been signed by the President.

WOOD, Secretary

Enrolled [HJM 6](#), [HCR 28](#), and [HJM 7](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Secretary of State.

Enrolled [H 46](#), as amended, [H 250](#), [H 163](#), [H 222](#), [H 43](#), [H 151](#), [H 14](#), as amended, as amended in the Senate, [H 141](#), as amended in the Senate, [H 159](#), as amended in the Senate, and [H 217](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

April 8, 2009

Mr. Speaker:

I transmit herewith [S 1186](#) which has passed the Senate.

WOOD, Secretary

[S 1186](#) was filed for first reading.

April 7, 2009

Mr. Speaker:

I return herewith [HJM 4](#) and [HCR 23](#) which have passed the Senate.

WOOD, Secretary

[HJM 4](#) and [HCR 23](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 8, 2009

Mr. Speaker:

I return herewith [H 255](#), [H 170](#), and [H 220](#) which have passed the Senate.

WOOD, Secretary

[H 255](#), [H 170](#), and [H 220](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

April 7, 2009

Mr. Speaker:

I return herewith [H 194](#), as amended in the Senate, and [H 232](#), as amended in the Senate, which have passed the Senate.

WOOD, Secretary

[H 194](#), as amended in the Senate, and [H 232](#), as amended in the Senate, were ordered held at the Desk.

Mr. Gibbs asked unanimous consent that the House concur in the Senate amendments to [H 194](#), as amended in the Senate. There being no objection, it was so ordered.

Mr. Schaefer asked unanimous consent that the House concur in the Senate amendments to [H 232](#), as amended in the Senate. There being no objection, it was so ordered.

[H 194](#), as amended in the Senate, and [H 232](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for engrossing.

Report of Standing Committees

April 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 298](#).

CLARK, Chairman

[H 298](#) was filed for second reading.

April 7, 2009

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [S 1145](#) and recommend that it do pass.

LOERTSCHER, Chairman

[S 1145](#) was filed for second reading.

April 7, 2009

Mr. Speaker:

We, your COMMITTEE ON RESOURCES AND CONSERVATION, report that we have had under consideration [S 1141](#), as amended, as amended, and recommend that it do pass.

STEVENSON, Chairman

[S 1141](#), as amended, as amended, was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

**Introduction, First Reading, and Reference
of Bills and Joint Resolutions**

**HOUSE BILL NO. 299
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE OFFICE OF DRUG POLICY FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF FULL-TIME POSITIONS; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR STATEWIDE SUBSTANCE ABUSE SERVICES FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 300
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS AND DIRECTING A TRANSFER OF FUNDS TO THE PUBLIC HEALTH TRUST FUND FOR FISCAL YEAR 2010; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 301
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF JUVENILE CORRECTIONS FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 302
BY APPROPRIATIONS COMMITTEE**

AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 2010; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE STATE CONTROLLER TO TRANSFER FUNDS FROM THE RURAL ECONOMIC DEVELOPMENT INTEGRATED FREIGHT TRANSPORTATION FUND TO THE GENERAL FUND; PROVIDING LEGISLATIVE INTENT ON PERSONNEL COSTS; DIRECTING SALARY REDUCTIONS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 303
BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO EDUCATION; AMENDING SECTION 33-1004, IDAHO CODE, TO REVISE PROVISIONS RELATING TO INSTRUCTIONAL STAFF ALLOWANCE; AND AMENDING CHAPTER 16, TITLE 33, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 33-1619, IDAHO CODE, TO PROVIDE THAT SCHOOL DISTRICTS MAY OFFER VIRTUAL SCHOOL INSTRUCTION, TO PROVIDE THAT SCHOOL DISTRICTS MAY OFFER A BLEND OF VIRTUAL AND TRADITIONAL INSTRUCTION AND TO PROVIDE FOR THE COUNTING AND REPORTING OF AVERAGE DAILY ATTENDANCE.

**HOUSE BILL NO. 304
BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO LAWS AGAINST GAMING; REPEALING SECTION 18-3808, IDAHO CODE, RELATING TO OFFICERS ENFORCING THE LAWS AGAINST GAMING.

**HOUSE BILL NO. 305
BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO WORKER'S COMPENSATION AND RELATED LAWS; AMENDING SECTION 72-804, IDAHO CODE, TO PROVIDE FOR ATTORNEY'S FEES AND CERTAIN COSTS; AND DECLARING AN EMERGENCY.

**HOUSE BILL NO. 306
BY WAYS AND MEANS COMMITTEE**

AN ACT

RELATING TO PHARMACISTS; AMENDING SECTION 37-3201, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AMENDING SECTION 54-1704, IDAHO CODE, TO REVISE THE DEFINITION OF THE "PRACTICE OF PHARMACY" AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 54-1705, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE NEW TERMS; AMENDING CHAPTER 17, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-1723A, IDAHO CODE, TO PROVIDE FOR REGISTRATION TO ENGAGE IN THE PRACTICE OF PHARMACY ACROSS STATE LINES; AMENDING SECTION 54-1729, IDAHO CODE, TO REQUIRE AN APPLICATION FOR A CERTIFICATE OF REGISTRATION FOR A TELEPHARMACY DRUG OUTLET ACROSS STATE LINES, TO PROVIDE FOR THE REGISTRATION OF CERTAIN INDIVIDUALS ENGAGED IN THE PRACTICE OF TELEPHARMACY ACROSS STATE LINES, TO PROVIDE FOR THE PAYMENT OF CERTAIN FEES BY CERTAIN DRUG OUTLETS AND TO MAKE TECHNICAL

CORRECTIONS; AMENDING SECTION 54-4702, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE; AND AMENDING SECTION 54-5110, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE.

HOUSE BILL NO. 307
BY WAYS AND MEANS COMMITTEE
AN ACT

RELATING TO THE DISTRIBUTION OF SALES TAX REVENUES; AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE A CORRECT CODE REFERENCE, TO PROVIDE FOR A DISTRIBUTION TO THE HIGHWAY MAINTENANCE, PRESERVATION AND RESTORATION FUND, TO PROVIDE CERTAIN EFFECTIVE DATES AND TO DEFINE A TERM; AND PROVIDING AN EFFECTIVE DATE.

[H 299](#), [H 300](#), [H 301](#), [H 302](#), [H 303](#), [H 304](#), [H 305](#), [H 306](#), and [H 307](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1186](#), by Finance Committee, was introduced, read the first time by title, and filed for second reading.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

[H 293](#), [H 294](#), [H 295](#), [H 296](#), and [H 297](#), by Appropriations Committee, were read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Loertscher asked unanimous consent that [H 237](#), as amended, be returned to the State Affairs Committee. There being no objection, it was so ordered.

[H 282](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall [H 282](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 57.

NAYS – Barrett, Boyle, Burgoyne, Durst, Hagedorn, Harwood, Higgins, Palmer, Schaefer. Total – 9.

Absent and excused – Black, Henderson, Nonini, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 282](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 283](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall [H 283](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 59.

NAYS – Burgoyne, Durst, Hagedorn, Harwood, Higgins, Pasley-Stuart, Schaefer. Total – 7.

Absent and excused – Black, Henderson, Nonini, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 283](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 284](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall [H 284](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Marriott, Mathews, McGeachin, Moyle, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 51.

NAYS – Barrett, Boyle, Burgoyne, Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Loertscher, Luker, Nielsen, Palmer, Schaefer, Thayne. Total – 15.

Absent and excused – Black, Henderson, Nonini, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that [H 284](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 290](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [H 290](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Burgoyne, Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [H 290](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 291](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 291](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [H 291](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 292](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [H 292](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler,

Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Nonini, Smith(24). Total – 2.
Total – 70.

Whereupon the Speaker declared that [H 292](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[H 269](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [H 269](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Nonini, Smith(24). Total – 2.
Total – 70.

Whereupon the Speaker declared that [H 269](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

[HCR 30](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Chadderdon to open debate.

The question being, "Shall [HCR 30](#) be adopted?"

Whereupon the Speaker declared [HCR 30](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

[S 1096](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Stevenson to open debate.

The question being, "Shall [S 1096](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer,

Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Nonini, Ruchti, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [S 1096](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1129](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall [S 1129](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Ringo, Roberts, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Nonini, Raybould, Ruchti, Schaefer, Smith(24). Total – 5.
Total – 70.

Whereupon the Speaker declared that [S 1129](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1170](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [S 1170](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Nonini, Smith(24). Total – 2.
Total – 70.

Whereupon the Speaker declared that [S 1170](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1151](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Rusche to open debate.

The question being, "Shall [S 1151](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Durst, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Nonini, Shirley, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [S 1151](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1171](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall [S 1171](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Nonini, Shirley, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [S 1171](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1172](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. McGeachin to open debate.

The question being, "Shall [S 1172](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Harwood, Higgins, Schaefer. Total – 4.

Absent and excused – Hagedorn, Nonini, Shirley, Smith(24). Total – 4.

Total – 70.

Whereupon the Speaker declared that [S 1172](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1173](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall [S 1173](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Harwood, Higgins, Schaefer. Total – 4.

Absent and excused – Hagedorn, Nonini, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1173](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[S 1174](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [S 1174](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor,

Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 63.

NAYS – Durst, Harwood, Higgins, Schaefer. Total – 4.

Absent and excused – Hagedorn, Nonini, Smith(24). Total – 3.

Total – 70.

Whereupon the Speaker declared that [S 1174](#) passed the House. Title was approved and the bill ordered returned to the Senate.

[SJR 101](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bedke to open debate.

The question being, "Shall [SJR 101](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 64.

NAYS – Burgoyne, Durst, Schaefer. Total – 3.

Absent and excused – Black, Nonini, Smith(24). Total – 3. Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, [SJR 101](#) passed the House. Title was approved and the resolution ordered returned to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

April 8, 2009

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 303](#).

CLARK, Chairman

[H 303](#) was referred to the Education Committee.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 293](#) be suspended; that the

portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 293](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 293](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet to open debate.

The question being, "Shall [H 293](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 61.

NAYS – Barrett, Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 6.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [H 293](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 294](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 294](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.
Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 294](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Henderson to open debate.

The question being, "Shall [H 294](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [H 294](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 295](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 295](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart,

Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 295](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Patrick to open debate.

The question being, "Shall [H 295](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Burgoyne, Durst, Hagedorn, Harwood, Higgins, Pence, Schaefer, Trail, Wood(35). Total – 9.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [H 295](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 296](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 296](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 296](#) was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall [H 296](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hart, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst, Hagedorn, Harwood, Higgins, Schaefer. Total – 5.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [H 296](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of [H 297](#) be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that [H 297](#) be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Mr. Rusche.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES – Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Cronin, Eskridge, Gibbs, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Jarvis, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thayn, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 62.

NAYS – Durst. Total – 1.

Absent and excused – Anderson, Black, Kren, Labrador, Mathews, Nonini, Smith(24). Total – 7.

Total – 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and [H 297](#) was read the first

time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 297](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Block, Boe, Bolz, Boyle, Burgoyne, Chadderdon, Chavez, Chew, Collins, Crane, Cronin, Eskridge, Gibbs, Hartgen, Henderson, Jaquet, Jarvis, Killen, King, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Moyle, Nielsen, Palmer, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Simpson, Smith(30), Stevenson, Takasugi, Thompson, Trail, Wills, Wood(27), Mr. Speaker. Total – 58.

NAYS – Clark, Durst, Hagedorn, Hart, Harwood, Higgins, Schaefer, Thayn, Wood(35). Total – 9.

Absent and excused – Black, Nonini, Smith(24). Total – 3.
Total – 70.

Whereupon the Speaker declared that [H 297](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Thursday, April 9, 2009. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 12:02 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk